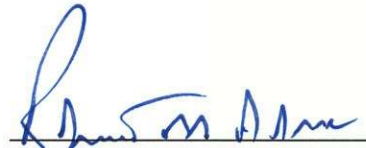


RESOLUTION NO. 2012-24

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, ADOPTING PROPOSED AMENDMENTS TO THE SEDONA
EMPLOYEE MANUAL RELATED TO SUPPLEMENTAL BENEFITS FOR
PUBLIC SAFETY EMPLOYEES**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA that the provisions set forth in that document attached hereto as Exhibit A, and entitled "Amendments to the Sedona Employee Manual Regarding Supplemental Benefits for Public Safety Employees," are hereby approved and adopted as part of the Sedona Employee Manual.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona this 13th day of November, 2012.



Robert M. Adams, Mayor

Attest:



Susan L. Irvine, CMC, City Clerk

Approved as to Form:



Mike Goimarac, City Attorney

Exhibit A
Amendments to the Sedona Employee Manual
Regarding Supplemental Benefits for Public Safety Employees

Section 512 - Supplemental Benefits Plan For Public Safety Employees

Purpose

The purpose of this Supplemental Benefits Plan for Public Safety Employees (plan) is to meet the requirements of A.R.S. §38-961 and provide additional economic benefits to police who are injured and eligible for a specific category of workers' compensation benefits.

Eligibility

The City has discretion to determine eligibility of an employee to participate or continue in this plan. To be eligible for supplemental benefits under this plan initially and to continue in the plan as described in this policy, the employee must meet all of the following criteria:

1. Be a police officer, employed full-time by the City at the time of injury.
2. Be injured and eligible for workers' compensation benefits pursuant to A.R.S. §23-1021.
3. Be receiving workers' compensation lost-time wage replacement benefits pursuant to A.R.S. §23-1041 and related statutes.
4. Request supplemental benefits, in writing addressed to the City Manager's office, within 30 days of receiving first payment of workers' compensation lost-time wage replacement benefits pursuant to A.R.S. §23-1041.
5. Follow all other procedures for requesting benefits as outlined in this policy or related documents.
6. Participate in all risk management activities related to his or her workers' compensation injury.
7. Be physically unable to return to work for the City in any capacity, including alternative work assignments or light duty, as determined by the City and as supported by the employee's physician or an independent medical exam (IME) ordered by the City directly or through its workers' compensation insurance provider. The employee's inability to work in a capacity assigned by the City, including inability to work light duty assignments, must be supported by appropriate medical documentation in order for the employee to remain eligible under this supplemental benefits plan.
8. Remain a City full time employee during the time period the employee is receiving the supplemental benefits.

Benefits

All benefits under this plan will be provided while the employee meets all eligibility criteria, for a period up to six months¹ from the date the employee receives first payment

¹ City may consider a six-month extension of the SBP at a future time.

of workers' compensation lost-time wage replacement benefits pursuant to A.R.S. § 23-1041.

Benefits under this plan include:

1. Payment by the City of the difference in salary between the employee's base pre-injury salary, less taxes and the workers' compensation benefit paid to the employee under A.R.S. 38-961, and any other voluntary deductions on the part of the employee.
2. Continued payment of the City's employer portion of premium for health care benefits as was paid pre-injury and/or as is paid for other similarly enrolled employees. The employee remains responsible for paying the same portion of his/her health care benefits as was paid pre-injury and/or as is paid by similarly enrolled employees.
3. Payment by the City of both employer and employee contributions to the Public Safety Personnel Retirement System or the Corrections Officer Retirement Plan as based on the employee's pre-injury salary.
4. Credit for service in the Public Safety Personnel Retirement System or the Corrections Officer Retirement Plan at the same accrual rate as pre-injury.
5. Maintenance of accrued City leave balances at pre-injury level, including sick and vacation leave, and/or PTO.

To the extent the employee is eligible for and receives salary or benefit changes while receiving benefits under this plan, the plan benefits will be adjusted accordingly. For instance, if all employees are provided automatic salary adjustments as part of an annual process, the employee will receive benefits under this plan based on his/her new adjusted salary as he/she would receive if not injured. Such adjustments may or may not benefit the employee. For instance, if during the benefit period under this plan the City changes employer health care benefits contributions from 80 percent to 70 percent, the employee may be required to pay additional premiums as would any other similarly situated employee.

Procedure

- The Human Resource Office will receive all requests for plan benefits, in writing from the employee outlining the request and any relevant information needed for decision making by the City. Such request must be made within 30 days of the employee's receipt of his or her first lost-time wage replacement benefit paid under workers' compensation. Failure to make a request within the timeframe established herein shall be construed as a waiver of any rights under A.R.S. §38-961.
- The City Human Resources Director will review the written request, the circumstances surrounding the injury, employee eligibility for workers' compensation, and any other relevant factors. Within 30 days of receipt of request for benefits under this plan, the Human Resources Director shall provide the employee with written determination of benefits eligibility under this plan.
- Supplemental benefits under the plan will be provided from the date of an employee's injury for a period not to exceed six months, as long as the employee continues to meet all eligibility criteria.
- Employees granted benefits under this plan will cooperate fully with the City, the Human Resources Director and others working to coordinate benefits.

- The employee's City leave accounts will be frozen as of date of injury until conclusion of participation in the plan.
- If an employee is denied participation in the plan for any reason, he or she has a right to appeal such denial. The process for doing so is, exclusively, the following:
 - ✓ Within ten (10) working days from receipt of denial letter file a written appeal with the City Manager stating the reason for the appeal and facts that the employee wishes to have considered.
 - ✓ Within five (5) working days the City Manager will render a written opinion affirming or denying eligibility based upon the information provided.